

RULES AND REGULATIONS  
OF  
**OPEN ACCESS USERS ASSOCIATION**

**1. MEMBERSHIP :**

Ordinary Corporate membership and Life /Chartered membership is available to corporate entities, either public or private that deal with the electricity sector. Eligibility to membership has to be acceptable to the managing committee and then will be confirmed by paying the prescribed entrance fee and annual fee applicable at that time.

**2. KINDS OF MEMBERS :**

There are following kinds of members.

- a) Ordinary / Corporate members.
- b) Life/Chartered Members.

**3. TERMINATION OF MEMBERSHIP :**

A member shall cease to be a member and shall be removed by the Managing Committee:

- i) On his resignation from membership and his resignation being accepted by the Managing Committee.
- ii) On his ceasing to be a member for non-payment of his subscription and membership fees.
- iii) On his expulsion by the General Body.

**4. NON-PAYMENT OF MEMBERSHIP FEES :**

Any member of the Association failing to pay his subscription shall not be eligible to vote in the Managing Committee Meeting.

**5. EXPULSION FROM MEMBERSHIP :**

Any member of the Committee acting detrimental to the interest of the Association and object and being guilty of misconduct shall be liable to expulsion by the Managing Committee by 2/3<sup>rd</sup> of the members present and voting at the meeting of the Managing Committee summoned for the purpose. No such action shall be taken unless such member has been given an opportunity to explain. The decision of the Managing Committee in the matter shall be final and conclusive.

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**6. SOURCES OF INCOME:**

The Sources of income of the Association shall be as under :-

- a) Organizing of conferences, seminars, retreats, workshops etc. The income for the expenses will accrue from delegate and participant fees and sponsorship for these activities.
- b) Sale of Publications, DVD's CD's and all other materials made by the Association on various issues of power, energy and environment.
- c) Donations from Corporations for promoting any cause in the fields of power, energy and environment.
- d) From fees of advising or consultancy given to Corporates and the public at large.
- e) The fund of the Association when not utilized in its business shall be invested or deposited as required by law as per B.P.T. Act, 1950.

**7. BANK ACCOUNT :**

The Bank Account of the Association shall be opened in the name of the Association and the same shall be operated singly by the President or the Treasurer

**8. ELECTION :**

The Election of the managing Committee shall take place every 5 years and election to be held in the month of December subsequently every five years for the following posts.

- |                      |             |
|----------------------|-------------|
| 1. President         | ..... One.  |
| 2. Vice President    | .....One    |
| 3. Secretary         | ..... One.  |
| 4. Treasurer         | ..... One.  |
| 5. Executive Members | ..... Three |

**9- GENERAL BODY :**

- 1. The General Body shall meet annually to review its activities and shall consider such matters as may be referred to *by* the Managing Committee. The Managing Committee shall conduct this meeting within 3 months after closures of the financial year of the Association.
- 2. There shall be an annual meeting of the General Body to transact inter-alia the following affairs.
  - i) Confirmation of minutes of the last meeting of the General Body.

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- ii) Adoption of the Managing Committee and statement of accounts of the previous year.
- iii) Election of the Managing Committee for every five years at the expiry of the terms of the previous Managing Committee.
- iv) To appoint auditors and to fix their remuneration.

**10. MANAGING COMMITTEE :**

- i) The Managing Committee shall comprise not less than 7(seven) members and not more than 11 (Eleven) members.
- ii) The Managing Committee at its first meeting held after their election shall elect President, Vice President, Secretary, Treasurer and Executive -Members.
- iii) 2/3<sup>rd</sup> members present in person shall form a quorum for the Managing Committee meeting. If no quorum is assembled, the meeting shall be adjourned after half an hour at the same place and no quorum shall be necessary for adjournment
- iv) Any casual vacancy in the office of an elected Managing Committee, either by death of a member or resignation shall be filled by the Managing Committee by Co-Option, such Co-Option shall be co-terminus with the terms of the Managing committee.
- v) The Managing Committee shall meet once in two month, minimum seven days clear notice must be given to each member unless mutually decided by all the members for calling the meeting at shorter notice,
- vi) All the proceedings of the Managing Committee shall be done by the Secretary. Such minutes shall be approved in the next meeting of the Committee.
- vii) It shall be the duty of Managing Committee to carry out the work of the Association in the best and efficient way in accordance with the aims and objects of the Association.

**11. POWER AND DUTIES OF MANAGING COMMITTEE :**

Among other things the powers and duties of Managing Committee

Shall be:-

- a) To admit new members.
- b) To raise the funds required for carrying the activities of the Association in accordance with the Rules and Regulations.

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- c) To appoint sub-committee/s and advisory committees from the stake holders in the power and other allied sectors and to fix the number of members per sub-committee/s and advisory committees, their period of membership on the committee and rights offered to them as being on the advisory committees in accordance with the Rules & regulations. The managing committee will fix the fees for membership to these advisory committees.
- d) To hear and deal with complaints.
- e) To appoint, suspend, fine or dismiss salaried employees, subject to an approval by the General Body Meeting.
- f) To maintain books of Accounts, Registers and record the Association.
- g) To record the minutes of meeting and get them approved.
- h) To institute, defend or compromise legal proceedings.
- i) To enquire into and take action in case of default.
- j) To fix the limit of cash balance which would be kept in hand by the Treasurer or Secretary and their responsibility for the safe custody of the cash in hand.
- k) To deposit the cash received by the Association in Bank regularly.
- l) To get the account of the Society, audited by internal auditor.
- m) To purchase, hire or take possession through funds of the Society and donation and gifts etc. moveable and immovable properties needed for the activities of the association and to sell, rent or auction such property as may be decided by the Managing Committee.
- n) To arrange for preparation of the Annual Report and statements of accounts and present the same to the Annual General Meetings for approval every year.
- o) To carry out the instructions and suggestions received from the Registering authority from time to time and place them before the Annual General Meeting.
- p) To call Annual/Special General Meeting and draw up its Agenda.
- q) To utilize funds of the Association for furtherance of the objects of the Association and sanction Investments of the funds of the Association as per law.
- r) To submit within the stipulated period the Reports, returns and other information required by the Registering Authority.
- s) To lay down policies of business and generally to direct and control the affairs of the Association so as to run it prudently and efficiently and in the best of interest of the Association and its members with due regard to the security and in the general interest of the members and the General Public.

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- t) To maintain a Register for name, address and other Particulars of members as per provisions of the Society's Act, 1860.

**12. DUTIES AND POWERS OF THE OFFICE BEARERS :**

**I) PRESIDENT :**

- a) The President shall preside over the meetings of the General Body and Managing Committee and shall have the General Control and supervision over all the affairs of the Association.
- b) He shall sign the minutes of the last meeting(s) after getting it confirmed by members present.
- c) He can refuse discussion on any matter other than the matter on agenda.
- d) He shall have power of calling meeting of the managing committee for urgent and special matters.
- e) He shall maintain discipline in accordance with the powers given to him, within the rules and regulations the Association.
- f) He shall have casting vote.
- g) He shall sign the statements of accounts after its approval.

**II) VICE PRESIDENT –** In absence of President the Vice President shall perform all the duties of President and all the powers of President shall be vested in him.

**III) SECRETARY :**

- a) To call meetings of the managing committee from time to time in consultation with the President
- b) To prepare Annual Report or any other Report/Reports as directed by the Managing Committee.
- c) To carry on the correspondence of the Association.
- d) To maintain records, files, registers and minute books of the Association.
- e) To perform any other function that may be entrusted to by the Managing Committee.

**IV) TREASURER :**

- a) To receive and disburse money on behalf of the Association under orders of the managing Committee.
- b) To maintain account books and registers.

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- c) The Treasurer shall not according to the Instructions of the Managing Committee keep a cash In hand exceeding Rs. 50000/- or as directed by the Managing Committee.
- d) To assist auditors and internal auditors in getting the accounts of the Association audited.
- e) To attend to any other business that may be entrusted to him by the Managing Committee from time to time.

**13. MEETING OF THE MANAGING COMMITTEE :**

The Managing Committee shall ordinarily meet at least once in two months for which notice shall be given by the Secretary to each member of seven (7) clear days in advance and shall contain the Agenda of the meeting unless unanimously agreed by the members for calling the meeting at shorter notice period.

14. **NOTICE FOR MANAGING COMMITTEE MEETING:** The Secretary shall issue a notice to each and every members for calling the meeting of Managing Committee at least seven (7) clear days in advance and notice shall contain the Agenda of Meeting.

**15. ORDINARY MEETING:**

The Secretary in consultation with the President shall conduct ordinary meeting of the managing committee and every member of the Managing Committee shall be entitled to receive in seven (7) dear days notice of such ordinary meetings of the Managing Committee.

**16. NOTICE FOR ANNUAL GENERAL MEETINGS :**

The Secretary shall issue a notice to each and every members for calling the Annual General Meeting at least 14 (Fourteen ) clear days in advance which shall contain of the Agenda of meeting.

**17. URGENT MEETING :**

The Secretary in consultations with the President may conduct urgent meeting of the Managing Committee.

**18. EXTRA ORDINARY MEETING :**

The Extra Ordinary Meeting of the Managing Committee shall be convened by the Secretary upon written requisition of at least 1/5<sup>th</sup> of the members of the Association. The meeting desired to be called within a week after receipt of such

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requisition and the members shall be entitled to receive prior forty eight hours notice of such an extra ordinary meeting of the Managing Committee.

**19. QUORUM:**

Two-Third (2/3) of the total number of the members shall form quorum for the General Body. Two-third (2/3) members shall form a quorum for the meeting of Managing Committee adjourned for want of quorum.

**20. LOANS AND ADVANCES :**

If in future the Association wants to take any loans and advances for completing the objects of Association then the permission to be taken from concerned Charity Commissioner Greater Bombay Region.

**21. SALE AND PURCHASE OF IMMOVABLE PROPERTY :**

If in future Association wants to sale or purchase an immovable property they must take permission from concerned Charity Commissioner Greater Bombay Region, Bombay.

**22. OFFICIAL YEAR :**

The Official year of the Association shall be from April to March every year.

**23. OFFICIAL LANGUAGES :**

The Official language of the Society shall be English.

**24. AREA OF OPERATION :**

The Area of Operation of Association shall be within India

**25. SPECIAL RESOLUTION :**

Under Special circumstances a resolution passed by two-third (2/3) members of the Managing Committee without meeting but by circulations and evidenced under the signatures of the members of the Managing Committee, shall be as valid and effective as a resolution passed at meeting of the Managing Committee duly called and hold.

**26. AMENDMENTS**

Any addition, alteration, deletion or commission of the Memorandum / Rules and Regulations of the Committee shall be done by 3/5<sup>th</sup> of the total members present in person and entitled to vote at a General Meeting of the Association duly convened, so far as the alternations, extension, additions, election, admission or abridgement concerned is in the purposes of the Memorandum of Association, the provisions of the Section-12 and 12-A of the societies Registration Act, 1860 shall apply.

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**27. DISSOLUTION**

Any number not less than three-fifth of the members present in person at any meeting convened for the purpose may determine that the Association shall be DISSOLVED, whether with immediate effect or at any future time agreed upon as provided under sections — 13 and 14 of the Societies Registration Act, 1860.

**28. FINANCIAL YEARS**

The financial year of the Association shall be from the 1st day of April, to 31st day of March every year.

**29. LEGAL PROCEEDINGS**

The Association may sue or be sued in the name of the President and Secretary as provision laid down under Section 6 of the societies Registration Act of 1860, as applicable to the Union Territory of Delhi.

**30. ANNUAL LIST OF THE GOVERNING BODY**

Once in every year a list of the office bearers and members of the governing body shall be filed with the Registrar of societies (SDM), Delhi as required under section 4, of the societies Registration. Act of 1860, as applicable to the Union Territory of Delhi.

**31. APPLICATION OF THE ACT**

All the provisions under all the section of the societies Registration Act of 1860, as applicable to the Union Territory of Delhi shall apply to this Association.

**32. ESSENTIAL CERTIFICATE**

Certified that this is the true and correct copy of Rules and Regulations of "the OPEN ACCESS USERS ASSOCIATION"

(PRESIDENT)

(SECRETARY)

(TREASURER)